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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/833,594	04/13/2001	Martin Philip Usher	11696.0056	5642

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WASHINGTON, DC 20036

EXAMINER

MILLER, BRANDON J


ART UNIT	PAPER NUMBER
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2683

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DATE MAILED: 12/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

 Office Action Summary	Application No. 09/833,594	Applicant(s) USHER ET AL.	
	Examiner Brandon J Miller	Art Unit 2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>5</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Abstract

The abstract of the disclosure is objected to because it uses multiple paragraphs and has exceeded 150 words in length. Correction is required. See MPEP § 608.01(b).

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2 and 4-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over McKenna in view of Mitchell and Tsuria.

Regarding claim 1 McKenna teaches a method of converting data messages originally formatted for transmission over a first telecommunications system for generation of a display on a display unit of a first type, such that the message can be transmitted over another telecommunications system for display by a selected display unit of a second type forming part

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of an information display system (see col. 10, lines 31-38, col. 12, lines 5-11 & 19-26, col. 17, lines 29-42 and FIGS. 3 and 6). McKenna does not specifically teach replacing the address information in the original data by address information appropriate to the selected display unit to generate an amended data message; creating an amended data message address to the server of the information display system, having the amended data message as payload; or having a server convert the amended data message into control instructions suitable to display the information content of the data message on the selected display unit. Mitchell teaches including address information in original data that is appropriate to a selected display unit to generate a message (see col. 3, lines 66-67, col. 4, lines 1-5, col. 11, lines 62-67, col. 12, lines 1-5 and FIG. 4). Mitchell teaches creating a data message address (see col. 3, lines 65-67). Tsuria teaches creating an amended data message and converting an amended data message into control instructions suitable to display the information content of the data message on a selected display unit (see pg. 28, 4th – 5th paragraphs, pg. 29, 1st paragraph, and FIG. 3). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include replacing the address information in the original data by address information appropriate to the selected display unit to generate an amended data message; creating an amended data message address to the server of the information display system, having the amended data message as payload; or having the server convert the amended data message into control instructions suitable to display the information content of the data message on the selected display unit because this would allow for improved mobile communication using multiple telecommunications services.

Regarding claim 2 McKenna teaches a data message formatted for transmission over a cellular telephone network (see col. 12, lines 23-25). McKenna teaches a display for a cellular telephone handset (see col. 19, lines 56-59 and FIG. 6).

Regarding claim 4 Tsuria teaches creating an alerting data message indicative of the presence of an original data message routed to the system of the information display system and carrying routing information appropriate to the selected display unit to cause the system to generate control instructions suitable to display an alerting message on the information selected display unit (see pg. 28, 3rd-5th paragraphs, pg. 29, 1st paragraph and FIG. 3). Tsuria teaches forwarding the amended data message to a selected source in response to an instruction from a termination point associated with the selected display unit (see pg. 22, 3rd paragraph, pg. 28 4th – 5th paragraphs and pg. 29, 1st paragraph).

Regarding claim 5 Tsuria teaches a data message including password data (see pg. 30, 3rd paragraph). Tsuria teaches a display unit to indicate the presence of a data message, and display data of the amended data message only if a predetermined input from a user terminal associated with the display unit is received (see pg. 30, 2nd -3rd paragraphs and Fig. 5).

Regarding claim 6 McKenna teaches converting a data message originally formatted for transmission over a first telecommunications system for generation of a display on a display unit of a first type, such that the message can be transmitted over another telecommunications system for display by a selected display unit of a second type forming part of an information display system (see col. 10, lines 31-38, col. 12, lines 5-11 & 19-26, col. 17, lines 29-42 and FIGS. 3 and 6). McKenna does not specifically teach a unit configured to receive and store an address for a selected display unit; a unit configured to replace address information in the original data

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message by address information appropriate to the selected display unit; or creating a message addressed to the server of an information display system and having the amended data message as payload. Mitchell teaches a unit configured to receive and store an address (see col. 2, lines 9-11). Mitchell teaches a unit configured to create address information in an original data message address appropriate to a selected display unit (see col. 3, lines 66-67, col. 4, lines 1-5, col. 11, lines 62-67, col. 12, lines 1-5 and FIG. 4). Tsuria teaches creating a message for the server of an information display system and having amended data message as payload (see pg. 28, 4th – 5th paragraphs, pg. 29, 1st paragraph, and FIG. 3). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include a unit configured to receive and store an address for a selected display unit; a unit configured to replace address information in the original data message by address information appropriate to the selected display unit; or creating a message addressed to the server of an information display system and having the amended data message as payload because this would allow for improved mobile communication using multiple telecommunications services.

Regarding claim 7 Tsuria teaches creating an alerting data message indicative of the presence of an original data message routed to the system of the information display system and carrying routing information appropriate to the selected display unit to cause the system to generate control instructions suitable to display an alerting message on the information selected display unit (see pg. 28, 3rd-5th paragraphs, pg. 29, 1st paragraph and FIG. 3). Tsuria teaches a unit configured to forward an amended data message to a selected source in response to an instruction from a termination point associated with the selected display unit (see pg. 22, 3rd paragraph, pg. 28 4th – 5th paragraphs and pg. 29, 1st paragraph).

Regarding claim 8 Tsuria teaches a unit configured to generate a password data that causes a system to withhold at least a portion of the information of the data message (see pg. 30, 2nd -3rd paragraphs and Fig. 5).

Claims 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over McKenna in view of Tsuria.

Regarding claim 9 McKenna teaches in a mobile station configured for use in a first telecommunications system to receive a data message initiated in a second telecommunication system (see col. 10, lines 31-38). McKenna teaches a data message initially formatted for routing in a telecommunications system and display on a first display unit but re-routed in response to identification information provided to a terminal in the another telecommunication system (see col. 12, lines 5-12 & 19-26 and col. 17, lines 29-42). McKenna teaches reformatting a data message for transmission in another telecommunication system (see col. 12, lines 5-11). McKenna does not specifically teach reformatting the data message into control instructions suitable to display information content of the data message on a display unit of a second display type identified in the reformatted data message. Tsuria teaches changing a data message into control instructions suitable to display information content of the data message on a display unit of a display type identified in the data message (see pg. 27, 4th paragraph, pg. 28, 3rd - 5th paragraphs, pg. 29, 1st paragraph, and FIG. 3). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include reformatting the data message into control instruction suitable to display information content of the data message on a display unit of a second display type identified in the reformatted data

message because this would allow for improved mobile communication using multiple telecommunications services.

Regarding claim 10 Tsuria teaches a display unit to indicate the presence of a data message, and to respond to a predetermined input from a user terminal associated with the display unit of a second display type to display the data message, the predetermined input being a password associated with data in a data message (see pg. 30, 2nd -3rd paragraphs and Fig. 5).

Regarding claim 11 McKenna teaches a data message formatted for transmission over a cellular telephone network (see col. 12, lines 23-25). McKenna teaches a display for a cellular telephone handset (see col. 19, lines 56-59 and FIG. 6).

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over McKenna in view of Mitchell, Tsuria, and Garahi.

Regarding claim 3 McKenna, Mitchell and Tsuria teach a device as recited in claim 1 except for a data message that is generated by a cellular switching system in response to a message being deposited in a call answering system. Garahi teaches a data message that is generated by a cellular system in response to a message being deposited in a call answering system (see col. 8, lines 48-59). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include a data message that is generated by a cellular switching system in response to a message being deposited in a call answering system because would allow for improved notification of delivered data messages.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Kobayashi U.S. Patent 5,963,877 discloses a telephone call receiver indicator.

Caorbefin U.S. Patent 6,269,243 discloses a device for allowing the use in an aircraft of radio-communication means.


Baxter U.S. Patent 6,192,416 discloses a computer system having fixed computers and mobile computers.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon J Miller whose telephone number is 703-305-4222. The examiner can normally be reached on Mon.-Fri. 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

December 11, 2003


WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600